

A CERTIFIED TRUE COPY

JUL 11 2006

ATTEST *[Signature]*
FOR THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF LA

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

2006 JUL 12 AM 11:13

JUN 23 2006

LORETTA G. WHYTE
DOCKET NO. 05-1007

FILED
CLERK'S OFFICE

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

**IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY
LITIGATION**

CA 2:06-0359

(SEE ATTACHED SCHEDULE)

IRVING v. MERCK

CONDITIONAL TRANSFER ORDER (CTO-54)

JUL 18 2006

TERESA L. DEPPNER, CLERK
U.S. District Court
Southern District of West Virginia

ENTERED

On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 3,956 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, 360 F.Supp.2d 1352 (J.P.M.L. 2005), and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Inasmuch as no objection is pending at this time, the stay is lifted.

JUL 11 2006

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

[Signature]
CLERK'S OFFICE
A TRUE COPY

JUL 18 2006

Deputy Clerk, U.S. District Court
Eastern District of Louisiana
New Orleans, LA

Fee _____
Process _____
 Dktd *[Signature]*
 CtRmDep *[Signature]*
 Doc. No. *[Signature]*

**SCHEDULE CTO-54 - TAG-ALONG ACTIONS
DOCKET NO. 1657
IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY
LITIGATION**

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	<u>EDLA Sec. L/3</u>
ALABAMA MIDDLE ALM 2 06-488	Felix Arrington, et al. v. Merck & Co., Inc., et al. Opposed 7/10/06	
ALABAMA NORTHERN ALN 2 06-993 ALN 2 06-998 ALN 4 06-954	Charles W. Glover, et al. v. Merck & Co., Inc. Jeanne Diane Whittington v. Merck & Co., Inc. Jeff McWilliams, et al. v. Merck & Co., Inc.	06-3555 06-3556 06-3557
ARKANSAS EASTERN ARE 3 06-86 ARE 5 06-131	Carol G. Watkins, etc. v. Merck & Co., Inc. Rosalie Belvedresi, et al. v. Merck & Co., Inc.	06-3558 06-3559
CALIFORNIA CENTRAL CAC 8 06-451	Antonio Sanchez, et al. v. Merck & Co., Inc.	06-3560
CALIFORNIA NORTHERN CAN 3 06-3240	George Fudge, et al. v. Merck & Co., Inc.	06-3561
COLORADO CO 1 06-965 CO 1 06-976 CO 1 06-977 CO 1 06-978 CO 1 06-979 CO 1 06-980 CO 1 06-981 CO 1 06-982 CO 1 06-983 CO 1 06-984 CO 1 06-985 CO 1 06-986 CO 1 06-987 CO 1 06-988 CO 1 06-989 CO 1 06-990 CO 1 06-1000 CO 1 06-1001 CO 1 06-1002	Gracie Abeyta v. Merck & Co., Inc. Horst Adam v. Merck & Co., Inc. John Barall-Inman v. Merck & Co., Inc. Jared Birely v. Merck & Co., Inc. Charlene Clark v. Merck & Co., Inc. Jackie Clark v. Merck & Co., Inc. Ronald Clark v. Merck & Co., Inc. Patricia Gillaspy v. Merck & Co., Inc. May Harris v. Merck & Co., Inc. Bill James v. Merck & Co., Inc. Leonard Johnson v. Merck & Co., Inc. Merry Lepper v. Merck & Co., Inc. Raymond Masel v. Merck & Co., Inc. John McKinley v. Merck & Co., Inc. Larry Shermer, etc. v. Merck & Co., Inc. Gary Tanner v. Merck & Co., Inc. Gilbert Bell v. Merck & Co., Inc. Ron Hodge v. Merck & Co., Inc. Marjorie Ann Rix v. Merck & Co., Inc.	06-3562 06-3563 06-3564 06-3565 06-3566 06-3567 06-3568 06-3569 06-3570 06-3571 06-3572 06-3573 06-3574 06-3575 06-3576 06-3577 06-3578 06-3579 06-3580
CONNECTICUT CT 3 06-742	Robert Perry, et al. v. Merck & Co., Inc.	06-3581
FLORIDA SOUTHERN FLS 0 06-60673 FLS 0 06-60694 FLS 0 06-60715 FLS 0 06-60716 FLS 0 06-60717 FLS 1 06-21223 FLS 9 06-80526	Abraham Kulla, et al. v. Merck & Co., Inc. Brian Klemm, et al. v. Merck & Co., Inc. Dean DeCarlo, etc. v. Merck & Co., Inc. George Kapoglis v. Merck & Co., Inc. Pamela Lightsey v. Merck & Co., Inc. Leonette Conyers v. Merck & Co., Inc. Wayne Stevens, et al. v. Merck & Co., Inc.	06-3582 06-3583 06-3584 06-3585 06-3586 06-3587 06-3588

SCHEDULE CTO-54 TAG-ALONG ACTIONS (MDL-1657)

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<u>DIST.</u>	<u>DIV.</u>	<u>C.A. #</u>	<u>CASE CAPTION</u>	<u>EDLA</u>
GEORGIA MIDDLE				Sec. L/3
GAM	5	06-183	Thomas E. Joyner v. Merck & Co., Inc.	06-3589
GEORGIA NORTHERN				
GAN	1	06-1298	Ann B. Stone v. Merck & Co., Inc.	06-3590
IOWA SOUTHERN				
IAS	4	06-216	Gregory Johnson, et al. v. Merck & Co., Inc.	06-3591
IDAHO				
ID	1	06-212	Gary Baggett, et al. v. Merck & Co., Inc.	06-3592
ILLINOIS NORTHERN				
ILN	1	06-2986	Brenda Watson, etc. v. Merck & Co., Inc.	06-3593
ILLINOIS SOUTHERN				
ILS	3	06-371	Susan Brooks v. Merck & Co., Inc., et al. Opposed 7/7/06	
ILS	3	06-375	Nathaniel Webster, et al. v. Merck & Co., Inc.	06-3594
ILS	3	06-391	Dolores Coulter v. Merck & Co., Inc., et al.	06-3595
ILS	3	06-415	Barbara Siuba v. Merck & Co., Inc.	06-3596
INDIANA SOUTHERN				
INS	1	06-764	Janet Cicenas, etc. v. Merck & Co., Inc.	06-3597
KANSAS				
KS	2	06-2193	Linda Wilkerson v. Merck & Co., Inc.	06-3598
MARYLAND				
MD	1	06-1202	John W. Melvin v. Merck & Co., Inc.	06-3599
MD	1	06-1204	Thomas J. Bongiovani v. Merck & Co., Inc.	06-3600
MD	1	06-1205	Tawanda Baker, et al. v. Merck & Co., Inc.	06-3601
MAINE				
ME	2	06-102	Anthony Wedge, et al. v. Merck & Co., Inc.	06-3602
ME	2	06-103	Rene Dechaine, et al. v. Merck & Co., Inc.	06-3603
MINNESOTA				
MN	0	06-1699	Joel Moore, etc. v. Merck & Co., Inc.	06-3604
MN	0	06-1751	Dixie Fritz, et al. v. Merck & Co., Inc.	06-3605
MN	0	06-1752	Charles Hager, et al. v. Merck & Co., Inc.	06-3606
MN	0	06-1753	Dennis Wendt, et al. v. Merck & Co., Inc.	06-3607
MN	0	06-1754	Paul Bowman, et al. v. Merck & Co., Inc.	06-3608
MN	0	06-1757	Robert J. Pirkle, et al. v. Merck & Co., Inc.	06-3609
MN	0	06-1770	Kathleen M. Thurston v. Merck & Co., Inc.	06-3610
MN	0	06-1813	Gertie Brenell Wilson-Cheatham, etc. v. Merck & Co., Inc.	06-3611
MN	0	06-1871	Marie Carr, et al. v. Merck & Co., Inc., et al.	06-3612
MN	0	06-2138	June Nevill v. Merck & Co., Inc.	06-3613
MN	0	06-2174	Irene Kidwell, etc. v. Merck & Co., Inc.	06-3614
MN	0	06-2259	John T. Parham, etc. v. Merck & Co., Inc.	06-3615
MISSISSIPPI NORTHERN				
MSN	2	06-95	Essie Bryson v. Merck & Co., Inc.	06-3616
NEVADA				
NV	2	06-653	Dean Dalan v. Merck & Co., Inc.	06-3617
NV	2	06-654	Joey Villaflor v. Merck & Co., Inc.	06-3618

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<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	<u>EDLA</u>
NEW YORK EASTERN		Sec. L/3
NYE 1 06-2714	Anthony Roca v. Merck & Co., Inc.	06-3619
NYE 1 06-2715	Warren K. Booth, Jr., etc. v. Merck & Co., Inc.	06-3620
NEW YORK NORTHERN		
NYN 1 06-670	Cindy Anderson, etc. v. Merck & Co., Inc., et al.	06-3621
NYN 1 06-671	Edward A. Lighthart, etc. v. Merck & Co., Inc., et al.	06-3622
NYN 1 06-672	Eugene O. Swartz, etc. v. Merck & Co., Inc., et al.	06-3623
NYN 5 06-667	David A. Greenway, etc. v. Merck & Co., Inc., et al.	06-3624
NYN 5 06-669	Christina Y. Watson, etc. v. Merck & Co., Inc., et al.	06-3625
NEW YORK SOUTHERN		
NYS 1 06-3695	Dozin Smith v. Merck & Co., Inc.	06-3626
NEW YORK WESTERN		
NYW 6 06-6260	Jerome Ferguson, Sr., etc. v. Merck & Co., Inc., et al.	06-3627
NYW 6 06-6261	Cameron W. Nowell v. Merck & Co., Inc., et al.	06-3628
NYW 6 06-6262	Carol A. Royer, etc. v. Merck & Co., Inc., et al.	06-3629
NYW 6 06-6263	Ronald R. Zyglis, etc. v. Merck & Co., Inc., et al.	06-3630
NYW 6 06-6264	Jeremiah J. Nugent, Sr., etc. v. Merck & Co., Inc., et al.	06-3631
NYW 6 06-6265	William C. Kothe, etc. v. Merck & Co., Inc., et al.	06-3632
NYW 6 06-6266	James A. Kuczmarski, etc. v. Merck & Co., Inc., et al.	06-3633
NYW 6 06-6267	William A. Nistor, Sr., etc. v. Merck & Co., Inc., et al.	06-3634
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OHN 1 06-1284	Joyce G. Gannon, et al. v. Merck & Co., Inc.	06-3635
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OKW 5 06-568	Cleo Fowler, et al. v. Merck & Co., Inc.	06-3636
PENNSYLVANIA EASTERN		
PAE 2 06-1345	Marjorie E. Thomas, et al. v. Merck & Co., Inc.	06-3637
PAE 2 06-2021	Debra King, etc. v. Merck & Co., Inc., et al.	06-3638
PAE 2 06-2022	Alauddin Ahmed, et al. v. Merck & Co., Inc., et al.	06-3639
PAE 2 06-2063	Robert Lee Bryant, et al. v. Merck & Co., Inc., et al.	06-3640
PAE 2 06-2064	Eldridge W. Johnson v. Merck & Co., Inc., et al.	06-3641
PAE 2 06-2066	Bert E. Wilson, et al. v. Merck & Co., Inc., et al.	06-3642
PAE 2 06-2067	Jo Anne Bredesen v. Merck & Co., Inc., et al.	06-3643
PAE 2 06-2131	Tommy Anderson, et al. v. Merck & Co., Inc., et al.	06-3644
PAE 2 06-2266	Ray Yant, et al. v. Merck & Co., Inc., et al.	06-3645
PAE 2 06-2268	Cheryl Johnson-Tschida, et al. v. Merck & Co., Inc., et al.	06-3646
PAE 2 06-2269	Warren F. Knight, et al. v. Merck & Co., Inc., et al.	06-3647
PAE 2 06-2275	Daniel Dagney, et al. v. Merck & Co., Inc.	06-3648
PAE 2 06-2293	Jacqueline Klossner v. Merck & Co., Inc., et al.	06-3649
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PAW 2 06-691	Gerald Krieger v. Merck & Co., Inc.	06-3651
PAW 2 06-710	Joyce Zilliot v. Merck & Co., Inc.	06-3652
SOUTH DAKOTA		
SD 1 06-1016	James Marling v. Merck & Co., Inc.	06-3653
SD 1 06-1017	Gail R. Hopfinger, etc. v. Merck & Co., Inc.	06-3654

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TXE 2 06-218	Pamela Smith, et al. v. Merck & Co., Inc.	06-3656
TXE 9 06-108	John Martin McClain v. Kenneth C. Frazier, et al.	06-3657
TEXAS NORTHERN		
TXN 3 06-900	James Henry v. Merck & Co., Inc.	06-3658
TXN 3 06-938	Rickey Lynn Higgins v. Merck & Co., Inc.	06-3659
TXN 4 06-334	Kenneth Mathis v. Merck & Co., Inc.	06-3660
TXN 4 06-352	Sondra S. Light, etc. v. Merck & Co., Inc.	06-3661
TXN 4 06-354	Merrilyn Hobbs v. Merck & Co., Inc.	06-3662
TXN 4 06-355	Kim Gatlin v. Merck & Co., Inc.	06-3663
TXN 4 06-363	Gordon Sharratt v. Merck & Co., Inc.	06-3664
TXN 4 06-364	Ralph Michael Lane v. Merck & Co., Inc.	06-3665
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TXS 4 06-1638	Vera Quiroz, et al. v. Med-Cure Primary Care Physicians, PA, et al.	06-3666
TXS 4 06-1772	Joyce Calloway, et al. v. Merck & Co., Inc. Opposed 6/30/06	
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TXW 1 06-373	Larry Jimenez, et al. v. Merck & Co., Inc.	06-3667
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UT 2 06-406	State of Utah v. Merck & Co., Inc. Opposed 7/11/06	
VIRGINIA EASTERN		
VAE 1 06-609	Mladenka Mastilovic, etc. v. Merck & Co., Inc.	06-3668
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WVN 1 06-78	James Harold Harper v. Merck & Co., Inc.	06-3669
WVN 1 06-79	Claude Cunningham, etc. v. Merck & Co., Inc.	06-3670
WVN 2 06-52	Charles R. Goff v. Merck & Co., Inc.	06-3671
WEST VIRGINIA SOUTHERN		
WVS 1 06-371	Howard D. Davidson v. Merck & Co., Inc.	06-3672
WVS 2 06-358	Charles S. Tyson v. Merck & Co., Inc.	06-3673
WVS 2 06-359	Merrill Leslie Irving, etc. v. Merck & Co., Inc.	06-3674
WVS 2 06-360	Lester Doneff v. Merck & Co., Inc.	06-3675
WVS 2 06-361	John E. Morris v. Merck & Co., Inc.	06-3676
WVS 2 06-362	Kelly J. Elswick, etc. v. Merck & Co., Inc.	06-3677
WVS 2 06-363	Jack Lee West v. Merck & Co., Inc.	06-3678
WVS 5 06-372	Louie Cundiff Rakes, Jr. v. Merck & Co., Inc.	06-3679
WVS 6 06-366	Linda L. Nelson v. Merck & Co., Inc.	06-3680
WVS 6 06-367	Henry C. Jones v. Merck & Co., Inc.	06-3681